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palette imaging

47 South Street, Norwood, N.J. 07048

January 15, 2002

Renata Hesse, Trial Attorney
Suite 1200, Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530

Dear Ms. Renata Hesse:

I own a small software development company in New Jersey. I feel impelled to write this letter because, as a software developer, I am appalled by the remedies proposed by the U.S. Justice Department. From a software developer's point of view, those remedies don't address the real issues of the Microsoft monopoly at all.

Developers need alternative platforms to Microsoft Windows on which they can develop programs for the IBM PC. The alternative platforms must be permanently established on most PC's for the next fifteen to 20 years in order for software companies to make the considerable investment in time and money that modern programs require. Developers cannot depend on the vagaries of manufacturers to include or not include alternative platforms at their will.

It feels strongly that the court should, at the very least, require Microsoft to continue including Java within Windows. As we all know, Microsoft included Java in Microsoft Windows 5 years ago. At the time, they indicated that Java would be a permanent part of future versions of Microsoft Windows. Collectively, millions of hours and millions of dollars of programmers' time and money have been spent on learning Java across the country. Simply taking a trip to Barnes and Noble and viewing the large number of books devoted to the Java language can easily verify this. Microsoft has now summarily dropped the Java platform from Windows XP. This was done in spite of the fact that they surely knew that this action would cause huge losses and problems in the programming community.

In addition, there are now more than 9 million web pages that contain Java applets. Consumers who purchase Windows XP and access those pages are going to have to endure a long and arduous wait while a software plug-in is installed on their machine over the Internet. It is obvious that Microsoft cares little for problems they cause in the programming community or in the consumer community at large.

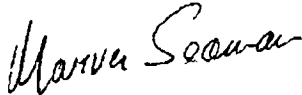
Ideally, Microsoft should be required to include the *next two* most popular programming platforms -- Java and Linux, along with Microsoft Windows. Both platforms are available free to Microsoft. There is no reason why they should not be included except, of course, that they are a direct threat to the Microsoft monopoly. Microsoft Windows is an excellent product, but it cannot accomplish some things that Java can accomplish easily. The same is true of Linux. All of these platforms have different strengths and weaknesses. These platforms should be included in such a manner that they cannot be altered or deleted by manufacturers (thereby averting Microsoft pressures). This would give programmers a choice of three reliable long-range programming platforms and would stimulate a competitive environment. We would surely see prices of development software drop and the software quality of all the platforms improve competitively. Most users of personal computers are aware of the poor record that Microsoft has in making Windows a reliable trouble-free product. The reason for this is quite likely that they assign few engineers to the job of maintaining a monopoly product that people are forced to buy anyway. Competition would undoubtedly force them into assigning more engineers to making their own product more reliable.

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I am sure that, from the point of view of most software developers, any resolution of the Microsoft case that does not, at the very least, require Microsoft to continue supporting the latest versions of Java would be viewed as a complete collapse to Microsoft. It would simply serve to institutionalize, by government decree, their platform monopoly on the PC. As a software developer, I feel strongly that forcing Microsoft to vend other popular competitive development platforms along with their own platform should be the very first priority in resolving this case. Remedies involving Microsoft's contractual relations with manufacturers are of secondary importance.

Software developers need alternative platforms that are stable, fixed and long term and we need to know that these platforms are installed on all machines and will remain on all machines that Microsoft Windows is installed on. If this were accomplished we would have the confidence to spend time and money on developing new applications under new platforms for the PC. In time, this would effectively end most of the problems caused by the Microsoft monopoly, not just put a band-aid on the symptoms.

Respectfully yours,



Marver Seaman
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